

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

Blockquarry Corp. f/k/a ISW Holdings, Inc.,

Plaintiff,

v.

Litchain Corp. and Gaffney Board of Public  
Works,

Defendants.

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Gaffney Board of Public Works,

Counter-/Cross-Claimant,

v.

Blockquarry Corp. f/k/a ISW Holdings, Inc.,  
Counterclaim Defendant, and Litchain Corp.,  
Crossclaim Defendant.

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C/A No.: 7:23-cv-01427-TMC

**PLAINTIFF'S VERIFIED SECOND  
STATUS REPORT ON SERVICE OF  
PROCESS ON DEFENDANT  
LITCHAIN CORP.**

Plaintiff Blockquarry Corp. f/k/a ISW Holdings, Inc. hereby provides this verified second status report on service of process on Defendant Litchain Corp. ("Litchain").

1. On June 22, 2023, the Court granted Plaintiff's motion seeking, in the alternative, leave of the Court to serve Litchain by publication, pursuant to Rule 4(e)(1), S.C. Code Ann. § 15-9-10, and Fla. Stat. Ann. §§ 49.011, 49.021, with the South Carolina-based *The Gaffney Ledger* and the Florida-based *Sanford Herald*. The Court additionally directed Plaintiff to mail a copy of the summons and Complaint to Litchain's principal office. Finally, the Court granted Plaintiff's request for an extension of time in which to serve Litchain, extending that deadline to August 22, 2023.

**South Carolina Publication**

2. On or about July 6, 2023, Plaintiff submitted a Summons and Notice of Filing of Complaint to *The Gaffney Ledger* to be published July 7, 14, and 21, pursuant to S.C. Code Ann. § 15-9-740.

3. On July 7, 2023, Plaintiff placed in the U.S. Mail *The Gaffney Ledger*-published version of the Summons and Notice of Filing of Complaint, addressed to Litchain's principal office at 3415 W. Lake Mary Boulevard, Suite 950702, Lake Mary, Florida 32795. (Ex. A).

4. On July 25, 2023, *The Gaffney Ledger* alerted Plaintiff's counsel that it had mistakenly failed to publish the Summons and Notice of Filing of Complaint on July 14 and 21, publishing it only on July 7. (Ex. B (correspondence with *The Gaffney Ledger*); see Ex. C (evidencing *The Gaffney Ledger*'s July 7, 2023 publication of the Summons and Notice of Filing of Complaint)). Plaintiff's counsel immediately requested that *The Gaffney Ledger* begin a new three-week cycle of publication of the Summons and Notice of Filing of Complaint, running July 28, August 4, and 11. (Ex. D).

5. On August 15, 2023, *The Gaffney Ledger* submitted an Affidavit of Publication, pursuant to S.C. Code Ann. § 15-9-15, attesting to publication of the Summons and Notice of Filing of Complaint on July 28, August 4, and 11. (Attached as Exhibit E and contemporaneously filed separately).

**Florida Publication**

6. On July 7, 2023, Plaintiff submitted the Court-issued Notice of Action (ECF No. 41) to the *Sanford Herald* to be published July 12, 19, and 26, and August 2, 2023, pursuant to Fla. Stat. § 49.10.

7. On July 12, 2023, Plaintiff placed in the U.S. Mail the *Sanford Herald*-published version of the Notice of Action, addressed to Litchain's principal office at 3415 W. Lake Mary Boulevard, Suite 950702, Lake Mary, Florida 32795. (Ex. F).

8. On August 7, 2023, the *Sanford Herald* submitted an Affidavit of Publication, pursuant to Fla. Stat. § 49.10(c)(2), attesting to publication of the Notice of Action on July 12, 19, and 26, and August 2, 2023. (Attached as Exhibit G and contemporaneously filed separately).

#### **U.S. Regular Mail**

9. On August 16, 2023, Plaintiff sent the two affidavits of publication, with respective appended Notice of Action and Summons and Notice of Filing of Complaint and a copy of the Complaint to Litchain's principal office at 3415 W. Lake Mary Boulevard, Suite 950702, Lake Mary, Florida 32795. (Ex. H)

#### **Conclusion**

10. Plaintiff's understanding is that service has now been perfected on Litchain. Thus, Litchain's responsive pleading to the South Carolina Summons and Notice of Filing of Complaint is due September 1, 2023. *See, e.g., Nationstar Mortg. LLC v. Gore*, No. 4:19-CV-00230-SAL, 2020 WL 1814036, at \*1 (D.S.C. Apr. 8, 2020) ("Because Ms. Gore failed to serve any response to the complaint upon counsel for Nationstar within 21 days after the last publication of the summons and complaint in the Sun News, Ms. Gore defaulted."). Litchain's responsive pleading to the Florida Notice of Action was due August 9, 2023. *See* Fla. Stat. § 49.09 (requiring "defendant to file written defenses with the clerk of the court and to serve a copy not later than the date fixed in said notice, which date shall be not less than 28 . . . days after the first publication of the notice[,] on plaintiff or his or her attorney").

11. Accordingly, Plaintiff, when appropriate, will move for entry of default against Litchain, if Litchain fails to timely respond to the summons and Complaint served upon it by publication.

August 21, 2023

Greenville, South Carolina

Respectfully submitted,

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*/s/William A. Neinast*

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Holdings, Inc.*

## VERIFICATION

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my ability and knowledge.

## AFFIRMATION

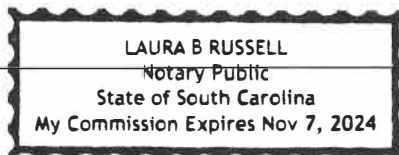
Sworn before me on August 18, 2023.

*Laura Russell*

Notary Public for *South Carolina*

My Commission expires: *11-7-2024*

(seal)



R. TAYLOR SPEER

*[Signature]*

R. Taylor Speer

FOX ROTHSCHILD LLP